

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

KEITH L. JONES,

Plaintiff,

v.

Civil Action 2:11-CV-1104  
Judge Smith  
Magistrate Judge King

WARDEN ROBINSON,  
CHILlicothe Correctional  
Institution,

Defendant.

ORDER

On December 12, 2011, the United States Magistrate Judge, construing the action as one sounding in habeas corpus under 28 U.S.C. §2254, recommended that plaintiff's application for leave to proceed *in forma pauperis* be denied and that the petition for a writ of habeas corpus be dismissed as without merit. *Report and Recommendation*, Doc. No. 2. Although plaintiff was advised of his right to object, and of the consequences of his failure to do so, plaintiff has filed no objection.

The *Report and Recommendation*, Doc. No. 2, is **ADOPTED** and **AFFIRMED**. Plaintiff's application for leave to proceed *in forma pauperis* is **DENIED** and this action is **DISMISSED** as without merit.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** in this action.

*s/George C. Smith*  
George C. Smith, Judge  
United States District Court